

Proposed addition to Appendix K: Patent and Copyright Policy

III. Special Provisions Relating to Distance Learning

A. Transmission of Live Instruction

The university may transmit any classroom instruction, lecture or other instructional or performance event produced by faculty members as part of a program of distance learning with the consent of the instructor. The academic unit head is responsible for obtaining the consent of the instructor.

The university may record such instruction on videotape or provide the instruction online for students who have missed particular classes or who wish to review material covered in class. The university, however, may not sell or re-transmit in future semesters any such recording except under the terms of a written agreement between the university and the faculty member setting out the proposed use and providing each party with an agreed upon percentage interest in the net profits from either the sale or rebroadcast, usually following the guidelines set out in section B below.

B. Creation of Materials for Web-Based or Electronically Transmitted Instruction

1. Using Substantial University Resources

In cases where a course and/or other materials relating to online or otherwise electronically transmitted instruction are developed using university production facilities, staff and other university resources (generally having a value of \$1000 or more), ownership and royalties of the materials will be determined as follows.

(a) IIT owns the copyright for the course materials.

(b) Royalties

(i) If IIT provides resources for the development of the course materials (i.e., presentation design and consultation, labor for preparation of documents), then the faculty member creating the materials shall receive 50% of IIT's net income from licensing or other distribution of the materials.

(ii) If IIT only provides production for course delivery, then the faculty member creating the materials shall

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receive 75% of IIT's net income from licensing or other distribution of the materials.

2. Not Using Substantial University Resources

If a faculty member develops course materials relating to online or otherwise electronically transmitted instruction on his or her own initiative and without substantial use of university resources, i.e., resources having a value in excess of \$1,000, the faculty member shall own the course materials as provided in the copyright policy. If there is some lesser use of university resources (i.e. having value between \$100 and \$1000), the faculty member shall reimburse the university for such use from any royalties earned from distribution of the materials. Use of university personal computers and resources having value less than \$100 need not be reimbursed.

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C. Other Policies Relating to Online Course Materials

1. The university has ultimate responsibility for and control over any online instruction used in support of its programs. If a faculty member is using online instruction, but not through IIT Online Technical Services, he or she must inform the university of the nature and extent of that use and shall obtain permission from his or her academic unit head before beginning any such online instruction.
2. Faculty members have the right and obligation to update, edit or otherwise revise electronically developed course materials that become out of date, and in certain circumstances, place a time limit upon the use of electronically developed course materials that are particularly time sensitive.
3. The Dean of the Graduate College will promulgate procedures for development and delivery of online instruction consistent with this policy.